

GLOBAL INDIGENOUS WOMEN'S CAUCUS

RECOMMENDATIONS FOR OUTCOME OF UNGA HIGH LEVEL PLENARY ALSO TO BE CALLED THE WORLD CONFERENCE ON INDIGENOUS PEOPLES

**March 28-30, 2013, New York, New York, USA
Traditional Territory of the Haudenosaunee**

The Global Indigenous Women's Caucus (GIWC) met in New York, New York from March 28-30, 2013, at the American Indian Community House. Over the three days of the caucus meeting, the GIWC discussed its participation in the processes leading up to the UN General Assembly High Level Plenary to be called the World Conference on Indigenous Peoples (HLP/WCIP), as well as themes and recommendations it would submit and advocate to be included in the final Outcome Document from the HLP/WCIP. A separate report on the proceedings of the entire meeting will be issued. This document has been prepared by the Drafting Team for the GIWC for submission to the Madrid meeting of drafting teams; it contains themes identified by the GIWC as critical to indigenous women, as well as recommendations for the Outcome Document.

The GIWC has identified the following themes for inclusion in its submission to the HLP/WCIP process:

RIGHT TO IDENTITY, RIGHT TO CULTURE

- A. Right to Identity.
- B. Right to Culture
- C. Right to Language
- D. Traditional, Ancestral and Sacred Knowledge
- E. Education with Indigenous Identity

RIGHTS OF MOTHER EARTH AND OUR RELATION TO MOTHER EARTH

- A. Violence against Mother Earth
- B. Protection of Sacred Places
- C. Protection of and Access to Water
- D. Environmental Racism and Environmental Justice
- E. Implementation of the Convention on Biological Diversity
- F. Food Sovereignty and Food Security

MILLENNIUM DEVELOPMENT GOALS

Proposed language: "Enabling Environments that are: Global In Nature, Sustainable in Value"

- A. Indigenous Women have the Right to Self-Development
- B. Linkage to Sustainable Development Goals (Rio + 20) and how to define the paradigm shift as Indigenous Women
- C. Poverty eradication
- D. Sumak Kawsay and Sumak Qamaña (Buen Vivir, Living Well) as a model for sustainable development with culture and identity

AUTONOMY AND INTEGRITY OF INDIGENOUS WOMEN AND THEIR BODIES

- A. Violence against women and girls. Need to define violence from the perspective of Indigenous Women. We also need to bring back the attention of United Nations agencies to the violence against Indigenous Women
 - i. Issue of missing and murdered Indigenous Women and Girls
 - ii. Women and children in conflict zones
 - iii. Human trafficking
 - iv. Police violence and brutality against Indigenous Women and Girls, including sexual assaults, beatings, unlawful detention
- B. Apprehension of children in State custody
- C. Forced Displacement
- D. Culturally safe health care that takes that addresses our unique histories and cultures
- E. Reproductive justice
- F. Violence against Human Rights Defenders

INDIGENOUS WOMEN'S LEADERSHIP AND POLITICAL PARTICIPATION

- A. Indigenous Women have the Right to Self Representation
- B. Full and effective participation of women on local, regional, national and international levels
- C. Training women. Capacity building for Indigenous Peoples. – Adequate methodology to incorporate this
- D. Capacity building and skills development. Programs to empower women and develop own school programs. Lack of recognition
- E. Interculturalism – infusing our doing politics with our own perspective as Indigenous Women and demanding this is respected

Indigenous Economy

- A. Trading
- B. Commerce
- C. Training Indigenous Women to manage finances

GUIDING THEMES and CONTEXT OF INDIGENOUS WOMEN

The GIWC maintains that we must begin our work with the foundation of self-determination contained in article 3 of the United Nations Declaration on the Rights of Indigenous People in the proceeding of all matters regarding the UN General Assembly High Level Plenary to be called the World Conference on Indigenous Peoples (HLP/WCIP). We must be referred to as Indigenous Peoples, not communities or populations. As such we also understand that self-determination is indispensable for the autonomy of our bodies and environmental and reproductive justice, which are important conditions of our physical, spiritual and cultural wellbeing.

As Indigenous women, our health and well-being, lands and resources including air and water, languages, cultures, traditional foods and subsistence, sovereignty and self-determination, life and security of person, free prior and informed consent and the transmission of traditional knowledge and teachings to our future generations are inherent and inalienable human rights. They are affirmed in the UN *Declaration on the Rights of Indigenous Peoples* and other international standards, and must be upheld, respected and fully implemented by States, UN bodies, corporations and Indigenous Peoples of the world.

Indigenous women traditionally have a central role in taking care of families and communities, though they are now suffering because of the unfairness of the systems. The various laws and policies that are relevant to Indigenous women in the world are in regards to domestic violence, family law, environmental laws and human rights laws. The purpose of these laws and policies are to protect, assist and to ensure that the maximum safety, protection and the self determination of Indigenous women. Indigenous women interact within the legal system and policies in two major ways, as participants within it, as also as women affected by it.

This Report sets out recommendations for the HLP/WCIP in response to the current situation of indigenous women with regard to domestic and international laws and policies in regards to their rights.

RIGHT TO IDENTITY, RIGHT TO CULTURE

Right to Identity:

Article 9 of the UNDRIP provides that indigenous peoples and individuals have the right to belong to an indigenous community or nation, in accordance with the traditions and customs of the community or nations concerned. Connected to this fundamental right are numerous rights regarding manifestations of indigenous peoples' and individuals' identity.

Right to Culture:

Articles 11 and 12 of the UNDRIP set forth rights regarding indigenous cultural rights, as well as the corresponding obligations of States.

Right to Language:

Indigenous languages in every region of the world are threatened with extinction after surviving centuries of attempts at assimilation and cultural genocide. States continue to pursue laws and policies that violate indigenous peoples' right to revitalize, use, develop and transmit to future generations their languages and oral traditions.

Traditional, Ancestral and Sacred Knowledge:

Article 31 of the UNDRIP provides that indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions. Article 31 also sets forth their right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions.

Education with Indigenous Identity:

Articles 14 and 15 of the UNDRIP set forth rights of indigenous peoples regarding education. In particular, Article 15 sets for the right to have the dignity and diversity of their cultures, traditions, and histories appropriately reflected in education, as well as the corresponding State obligation to take effective measure to combat prejudice and eliminate discrimination.

Recommendations:

1. That the Outcome Document affirm the rights contained in Articles 11 and 12 of the UNDRIP and call upon states to fulfil their obligations in this regard.
2. That the Outcome Document affirm the rights regarding indigenous languages contained in Article 14 of the UNDRIP.

3. That the Outcome Document affirm the contained in Article 31 of the UNDRIP and urge other UN bodies and agencies to recognize and protect the exercise of these rights, as provided in Article 42 of the UNDRIP.
4. That the Outcome Document include a call to States to fully realize the rights regarding education contained in the UNDRIP for indigenous peoples.
5. That the UN reinforce the recommendations from the EMRIP study on the role of languages and culture in the promotion and protection of the rights and identity of Indigenous Peoples.
6. That the UN heed the call of the Indigenous Women at CSW57 to “Review education systems at all levels to review and include an education based on the recognition of diversity and cultural differences, as a basis for respect between diverse and complex societies, recognized as equal in rights.”¹

RIGHTS OF MOTHER EARTH AND OUR RELATION TO MOTHER EARTH

Believing that “we are all part of Mother Earth, an indivisible, living community of interrelated and interdependent beings with a common destiny,” the GIWC hereby affirms the 2010 Universal Declaration of the Rights of Mother Earth in its entirety.² The GIWC joins other indigenous peoples in a “call for the U.N. General Assembly of the United Nations to adopt it, as a common standard of achievement for all peoples and all nations of the world,” and in so doing, according “respect for the rights recognized in this Declaration and ensure through prompt and progressive measures and mechanisms, national and international, their universal and effective recognition and observance among all peoples and States in the world.”

Violence against Mother Earth:

Article 2 (1) (h) of the Declaration of the Rights of Mother Earth provides for the right of Mother Earth to be free from contamination, pollution and toxic or radioactive waste. Under the guise of development, massive destruction to indigenous lands and territories has been caused by extractive industries, including pollution of lands and a legacy of contamination from radioactive waste. These activities have had a disproportionate impact on indigenous women and children, threatening their health and life.

Environmental contaminants causing disease, birth defects and death are deliberately released into the environment *because* they are toxic to living things (i.e. pesticides), or as a result of industrial or military processes that are judged by States and corporations to pose an “acceptable risk” and “allowable harm.” States and corporations deny “provable” impacts despite the clear evidence that they cause a range of serious health and reproductive impacts which disproportionately affect Indigenous women and children. This constitutes “environmental violence” by States and corporations and must be identified as such by Indigenous Peoples and human rights bodies.³

Protection of and Access to Water:

UN General Assembly Resolution 64/292 recognizes the right to safe and clean drinking water and sanitation as a human right that is essential for the full enjoyment of life and all human rights.

¹“Declaration of the Indigenous Women of CSW57,” 57th Session of the Commission on the Status of Women, 4 to 15 March 2013, United Nations, New York

² UNIVERSAL DECLARATION OF THE RIGHTS OF MOTHER EARTH, April 22, 2010, World People’s Conference on Climate Change and the Rights of Mother Earth Cochabamba, Bolivia

³ See, “2nd DECLARATION FOR HEALTH, LIFE AND DEFENSE OF OUR LANDS, RIGHTS AND FUTURE GENERATIONS,” *2nd International Indigenous Women’s Environmental and Reproductive Health Symposium, April 27-29, 2012*

Indigenous people worldwide have suffered the impacts of Aquacide: the killing of the waters by dams, diversions, privatization, deprivations, extractive industrial and mega-agricultural developments, hydraulic-fracturing, toxins, and pollution, and other ways that inhibit or preclude Water's ability to nurture and support Life. This has caused loss of indigenous territory, involuntary displacement of indigenous peoples, and otherwise deprived indigenous peoples of life sustaining water.

Protection of Sacred Places:

Article 25 of the UNDRIP provides that Indigenous Peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands and territories, waters, and coastal seas and other resources to uphold their responsibilities to future generations in this regard. Article 26, para. 1 provides that Indigenous Peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.

Environmental Racism and Environmental Justice:

Article 29, para 1 of the UNDRIP provides that Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. Para. 2 requires that States take effective measures to ensure that no storage or disposal of hazardous materials shall take place in the lands or territories of indigenous peoples without their free, prior and informed consent.

States and industry knowingly permit, produce, release, store, transport, export and dump hazardous chemicals that impair the endocrine and immune systems, adversely affect neurodevelopment and reproduction, and cause disease including all forms of cancer with few consequences. This is an egregious example of impunity. Unlike infectious diseases, environmental contaminants that cause disease and death are either deliberately released into the environment specifically *because* they are toxic to living things (i.e. pesticides), or they are a result of manufacturing from industrial or military processes that are judged by States and corporations to pose an "acceptable risk" as compared to their purported economic or military "benefits" to society as a whole. States and corporations deny "provable" impacts despite the clear evidence that these environmental toxics cause a range of serious, well documented health impacts, including harm to reproduction, health and fetal development which disproportionate affect Indigenous women.⁴

Implementation of the Convention on Biological Diversity:

In recognition of Article 1 and other articles of the UNDRIP, which recognizes Indigenous Peoples, the GIWC recommends that the Outcome Document support the reference to "Indigenous Peoples" in the Nagoya Protocol rather than Indigenous communities.

Food Sovereignty and Food Security:

Article 1 in common of the ICCPR and the ICESCR provide that "In no case may a people be deprived of its own means of subsistence." Food Sovereignty has been defined by indigenous peoples as "the right of Peoples to define their own policies and strategies for sustainable production, distribution, and consumption of food, with respect for their own cultures and their own systems of

⁴ See, "Indigenous Women and Environmental Violence: A Rights-Based Approach Addressing Impacts of Environmental Contamination on Indigenous Women, Girls and Future Generations," submitted to the UNPFII Expert Meeting "Combatting Violence Against Indigenous Women and Girls," January 18-20, 2012.

managing natural resources and rural areas.” Food Sovereignty is considered to be “a precondition for Food Security” for Indigenous Peoples.

Recommendations:

1. That the UN 2010 Universal Declaration of the Rights of Mother Earth as a common standard of achievement for all peoples and nations.
2. That the Outcome Document affirm indigenous peoples’ right to free, prior and informed consent prior to the approval of any project affecting their lands or territories or other resources, as contained in Article 32, para. 2 of the UNDRIP.
3. That the Outcome Document affirm the right to water contained in UNGA Res 64/292 with regard to indigenous peoples, especially indigenous women and children, as well as other relevant resolutions.
4. That the Outcome Document include a call to states to immediately halt Aquacide by all forms of exploitation, commodification, and other assaults that impede or destroy the life giving quality of Water.
5. That the Outcome Document affirm the rights contained in Articles 25 and 26 of the UNDRIP, together with the rights contained in Articles 11, 12 and 13, including the rights of access to and protection of sacred places and sites located within their aboriginal territories, and call upon states to take measures to fully implement these rights.
6. That the Outcome Document affirm the rights contained in Article 29 of the UNDRIP.
7. That the Outcome Document affirm the right of Indigenous Peoples to Food Sovereignty and to Food Security, bearing in mind the rights contained in international covenants and the UNDRIP.⁵
8. That the Outcome Document recognize the direct links between food sovereignty, environmental violence and reproductive health and the specific impacts to Indigenous women, children and unborn generations.

MILLENNIUM DEVELOPMENT GOALS

Indigenous women and children continue to be among the most impoverished sections of society. The specific needs and circumstances of indigenous peoples have not been adequately addressed and targeted by the Millennium Development Goals (MDGs) and in Poverty Reduction Strategies. At the PFII Session in 2005,

Recommendations

1. That UNGA recommend that culture be integrated into the millennium development goals as a pillar of any sustainable development strategy.
2. That indigenous people be included in the evaluation processes of the MDG’s.

AUTONOMY AND INTEGRITY OF INDIGENOUS WOMEN AND THEIR BODIES

One of the most pervasive human rights violations which effects Indigenous communities is the violence against women. Customs, traditional practices and customary laws deny Indigenous women in some countries equality and traditional values can at time invoke the excuse of the violation of

⁵ See, Intervention by International Indian Treaty Council, Agenda item 6: Half day discussion of the Rights of Indigenous Peoples to Food and Food Sovereignty, May 14, 2012

Indigenous women. Violence against Indigenous women also effects the spiritual development within themselves.

A. Violence against women and girls. Need to define violence from the perspective of Indigenous Women. We also need to bring back the attention of UN agencies to the violence against Indigenous Women.

Indigenous women throughout the world, are exposed to a diverse form of mental, physical and sexual violence, this violence is an obstacle to the capacity and potential of Indigenous women to exercise their right to participate fully in their communities, society and in this world. In some countries there are no official data of Indigenous women in regards to the violence, human movement, economic issues, forced displacement, the abuse on women in conflict zone and for indigenous children in the custody of the States.

The primary obligation for the States it to provide for the protection of Indigenous women to prevent violence, protect against violence, provided a victims of crime compensation and to punish the perpetrator for the acts of violence against Indigenous women. States need to address these issues and to find a holistic solution to help address the social, economic and cultural barriers in the lives of Indigenous women.

The content of international human rights policy on violence against women has been drawn together in three legal policy documents: the Vienna Declaration and Programme of Action, 306? the Declaration on the Elimination of Violence Against Women,307? and the Beijing Platform for Action.308? The obligations of countries to take active measures to eliminate violence against women was reiterated and reinforced in a June 2010 resolution of the UN General Assembly.⁶

The Permanent Forum on Indigenous Issues in June 2012 adopted the recommendation on Violence on Indigenous Women and Girls – Indigenous women and girls are disproportionately affected by sex trafficking, prostitution, bonded labour, internal displacement, environmental violence, and detrimental cultural practices such as genital mutilation, witch-hunting, and bride price. High levels of interpersonal violence is intertwined with the history of discrimination and marginalization experienced by Indigenous peoples, which fostered poverty, lack of access to land and natural resources, limited access to education and health services. Moreover, policies by states and multinational corporations continue to hurt indigenous women and girls by violation the principals of Indigenous and their human rights.

Recommendations:

1. The General Assembly works to ensure that it uses all its influence to end violence and request that where Indigenous women have been victims of violence accorded every possible assistance, services, shelters and including Legal Aid to support their claims and not be deported back to where they are risk suffering further violence, torture, assault, disappearance or death.
2. The General Assembly needs to provide a framework, so that the strengths and weaknesses of the legal system can be a positive way to abolish the informal justice systems and so that Indigenous women's human rights can have improvement to access justice.
3. A declaration on Prevention Sexual Violence in Conflict was agreed on Thursday 11th April, 2013 by the G8 Countries. It states that rape and other serious sexual violence amount to war

⁶ Missing Women Commission of Inquiry

crimes and grave breaches of the Geneva Conventions. This constitutes an emphatic reminder that states are required to investigate and prosecute conflict-related sexual violence wherever it occurs. This Declaration only applies to sexual violence that occur in international armed conflict where sexual violence is used as a weapon to silence non-violent political opposition. The Global Indigenous Women's Caucus request that the G8 address the plight and continued suffering of the many Indigenous women and a similar Declaration is adopted for the violence against Indigenous women.

4. Ensure meaningful participation of Indigenous women in the design, delivery, monitoring and evaluation of development of policies and programs in regards to domestic violence.
5. That the UN World Conference decide to convene to a high-level conference to examine challenges to the safety and well-being of Indigenous women and children and to share perspectives and best practices on the realization of the rights of Indigenous women and children under the Declaration on the Rights of Indigenous Peoples with the respect to protection against all forms of violence and discrimination.
6. That the UN World Conference decide to require that the UN Mechanism or body for monitoring and implementing the Declaration on the Rights of Indigenous Peoples I give particular attention on at least and annual basis "to the right and special needs of Indigenous women, youth and children in the implementation of the Declaration.
7. That the UN World Conference create a Special Rapporteur to the focus exclusively on human rights issues of Indigenous women and children, including but not limited to violence against them and on changing state laws that discriminated against them.

Issues of missing murdered women and girls

The number of Indigenous women and girls that have gone missing or even murdered it appalling. In Canada, hundreds of Indigenous women and girls have been murdered or gone missing across Canada over the last several decades.⁷ There is a failure of law enforcement authorities to deal effectively with the problem of missing and murdered women in Canada, is just one of the elements of dysfunctional relationships with the law enforcements that Indigenous women in the world have to deal with.

Recommendation:

1. States to commit to examine the reason for the failure to investigate the cases of missing and murdered Indigenous women and to take the necessary steps to remedy the deficiencies in the system.
2. States to uphold the rights of Indigenous women and ensure mechanisms that are designed to provide

Human trafficking

Human trafficking has been legally abolished, though there are almost 21 million women, men and children in forced labour.⁸ Indigenous women are disproportionately affected by human trafficking, if Indigenous women are then prostituted through force of coercion, they are a victim under the law, though an actual physical transfer of an Indigenous woman does not necessary meet the laws definition of human trafficking in some countries. Human trafficking

⁷ Human Rights Watch February 2013 , Those who take us away, Abusive Policing and Failures in Protection of Indigenous Women and Girls in Northern British Columbia, Canada

⁸ International Labour Organisation – http://ilo.org/sapfl?News/WCM_182109/lang-en/index.htm

of Indigenous women is an assault on their humanity and is becoming more prevalent throughout the world. Indigenous women are trafficked for labour or sexual exploitation

Recommendation:

1. States to make available the appropriate services, shelters for healing support for Indigenous women and children.
2. Corporation and dialogue with States and Indigenous women and representative organisation to help develop adequate indicators for monitoring human trafficking and elaborating effect laws and policies and strategies to the benefit for Indigenous women globally.

Police violence and brutality against Indigenous Women and Girls, including sexual assaults, beatings and violations of their rights

For Indigenous women and girls in the world, the relationship with the police is already complex because of the failure of police protecting them in some instances. For Indigenous women who have faced abuse by the police there is then not adequate protection for them, there is then no accountability for the violence that they face, from the police and from their perpetrator, or from the wider community.

Indigenous women in some parts of the world, endure years of physical and sexual abuse and these women when reaching out the police do not receive their support, instead they suffer from police brutality and misconduct. Women can be kept in custody in extremely inadequate conditions, while they are waiting for their trials or waiting to be released from custody. Some of these women do not have access to lawyers.

There are issues of police ignoring complaints, dismissing women from the police stations and women are encouraged to drop charges, protections orders are not enforced. There are incidents when bribes are made to the police from the perpetrators, this then lets the perpetrator to not be accountable for their behaviour.

Recommendation:

1. States need to address the accountability of government bodies that have been charged with the preventing and responding to violence against Indigenous women. There is to be a mandate for an Enquiry Team to investigate allegations of sexual assault by police on Indigenous women and girls.
2. States to improve police response to violence against women and girls on Indigenous communities.
3. States need to expand towards the training and monitoring for the treatment of Indigenous women and girls in custody.
4. States and stakeholders to implement witness protections and victim schemes, for the process of initiating proceedings.
5. The State must adopt a registration book in which all Indigenous women who are imprisoned at a police stations, must have information of their identity and age, reason for their commitment and the police officer who authorises their commitment, their date and time of their admission and realise.
6. States to ensure a safe custody for Indigenous women that there will be no corporal punishment, punishment by placing in dark cells, officers not to use force, inhuman or degrading punishments needs to be completely prohibited as punishment.

7. States to improve for the purpose of the defence of Indigenous women and girls free legal aid where it is available and to allow to inform their family immediately of their detention.

Women and children in conflict zones

Indigenous women who live in conflict zones where conflict is fuelled by tribal, religious and political differences, are at times in a more dangerous situation than the men who are in conflict.

Women who are in conflict zones are affected intensely. They have the complications to how to care for their family, displacement and to add to their crisis they can suffer from extreme abuse.

Woman and children in the Internally Displaced Person Camps are vulnerable and the laws in conflict zones are so relax or non-existent, the issue against violence does is not addressed.

Recommendations:

1. Ensure that the survivors of sexual violence and wartime rape have full access to justice, access to medical support, economic assistance and accountability for perpetrators.
2. The need to strengthen UN Peacekeeping forces around Internally Displaced Person Camps to ensure the protection of civilians and in particular of women, girls and boys who are at risk of attack.

Apprehension of children in state custody

Indigenous women and families who have been a victim of crime or not even a victim of a crime can be placed to be living in a greater poverty because of no income or economic gain. This then can lead to the removal of Indigenous children who are then placed in state custody. Majority of Indigenous children are not in state care because of sexual abuse, it is because of neglect. Neglect refers to the failure to provide for a child's basic needs, including failure to provide adequate food, shelter, clothing, supervision, hygiene or medical attention.⁹

Do States, government and policies take into the account of the lack of housing, health and education for Indigenous peoples in the world. Indigenous children are dying at more than double the rate of non-indigenous children, access to primary healthcare remains extremely poor, and at present the health crisis affecting Indigenous women, families and children are urgent. Poverty caused by a high unemployment, poor housing and a lack of empowerment have all contribute to children being removed into State care.

Therefore States need to take all this into consideration when it comes to the statistic of child abuse for neglect with Indigenous peoples. States, use the statistic of neglect of Indigenous children as one of the ways to continue to force the removal of Indigenous children from their families and communities.

Under Article 21 (2) of the *Declaration for Indigenous Peoples*, states; States shall take effective measures and, where appropriate, special measures to ensure continuing improvement of their economic and social conditions. Particular attention shall be paid to the rights and special needs of Indigenous elders, women, youth and children and person with disabilities.

⁹ <http://www.aifs.gov.au/nch/pub/sheets/rs1/rs1.html>

Article 30 of the *Convention on the Rights of the Child* directs States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist to ensure that a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion, or to use his or her own language.

Contemporary child protection policies around the world are resulting in just as many Indigenous children being removed from their families. Policies are centered around the removal of Indigenous culture which are deemed to be insignificant and inferior.

Recommendation:

Forced Displacement

Indigenous women and girls forced displacement because of some of these issues: wars, environmental issues and threats. The issue of displacement of Indigenous women and girls can to some extent be invisible to the world, this is because Indigenous people can be considered nomadic people and that movements are at times within their own territories or communities.

The destruction of land from mining, agrofuel production, wars has a negative impact on Indigenous women and their ancestral land

Culturally Safe Health Care that takes the addresses our unique histories and cultures

Recommendation:

Reproductive Justice

Recommendation:

Violence against Human Right Defenders

Indigenous women human rights defenders situations are connected with their countries complicated issues and their struggles are triumphs and risks. Indigenous women encounter huge risks during their human rights work. The attacks on human rights defenders can be more violent and their work is underestimated and they at times receive no support or protection or any kind. The Global Indigenous Women's Caucus is concerned with some of the backlash Indigenous women are receiving when they try and reshape, be a voice or make changes within the dominate culture of their communities. They are confronted by violence and opposition because they are trying to shift the culture that has at times kept and made them unequal and has deprived them of self-determination in moving towards a better future not just for themselves for all Indigenous women. Indigenous women need to be encouraged that freedom of expression is critical so that there is equality for all women in their communities.

Indigenous women who are human rights defenders suffer through killing, rape and physical attacks, torture, arbitrary detention, State have an obligation in protecting human rights defenders. Indigenous women human right defenders will always be part of the human rights movement, and States have an obligation under international law to protect Indigenous women from these violent acts, the failure to investigate and bring justice to perpetrators is in itself a breach of international law.

Recommendation:

1. That States take measures to prevent the torture and cruel human and degrading treatment of Indigenous women human right defenders, who exercise their rights to freedom expression and association.
2. States have obligations under the international law to prevent extrajudicial execution and should thoroughly investigate these killings and bring those who are responsible to justice.
3. States should provide effective protection against violence and discrimination for Indigenous women human rights defenders, and take the necessary steps to put an end to the killing and discrimination of human right defenders. There needs to be a clear message from States that they will not tolerate any form of violence against human right defenders.
4. State to implement and effect system for recording and reporting violent acts against Indigenous women human rights defenders.

F. Indigenous Women’s Leadership and Political participation

Article 18 of the UNDRIP provides that indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making and institutions. Article 22 requires that special attention be paid to the rights of indigenous women in the implementation of the UNDRIP. In this regard, indigenous women in every continent are still seriously underrepresented in positions of leadership and political participation. The voices of indigenous women are critical to addressing the many issues that indigenous peoples face and finding solutions to address these issues. EMRIP, in the course of conducting a study on indigenous peoples’ right to participate in decision making, recognized that indigenous women often face exceptional impediments to participation in decision-making.

Recommendations:

1. That the Outcome Document affirm the need for greater representation of indigenous women in political positions and a commitment to address barriers to electing indigenous women to political offices.
2. That the UNGA direct appropriate UN agencies and states heed Advice No. 2 of EMRIP to “conduct more intensive studies and design appropriate mechanisms to facilitate the participation of indigenous women in their activities and increase their access to address difficulties facing indigenous women seeking to fully participate in decision-making.”¹⁰
3. That the UNGA heed the request made by indigenous women attending the 57th Session of the Commission on the Status of Women to “promote public policies and inter-cultural approaches to the full and effective participation of women and young people including in political processes, to eradicate and prevent violence.”¹¹

INDIGENOUS ECONOMY

Indigenous women have suffered are suffering because economic cutback from Government support or Government cutbacks, this places a negative impact on Indigenous women whether they live in a rural, remote or urban places. These economic cutbacks reduce the standard of living and quality of life, there are limited employment opportunities, low wages and poor infrastructure and social

¹⁰ http://www.ohchr.org/Documents/Issues/IPeoples/EMRIP/Advice2_Oct2011.pdf

¹¹ “Declaration of the Indigenous Women of CSW57,” 57th Session of the Commission on the Status of Women, 4 to 15 March 2013, United Nations, New York

services. This leads to insecurity for Indigenous women for their future and the future of their children.

Indigenous women need the support to have more assets, especially the rights to secure land, as this can increase their status and power within their own communities. For Indigenous women, to have a land title can be a passport for their security, of it can collateral for bank credit, income, a place of residence, eligibility for government housing. Economic benefits can flow for the women as well as for her family.

Economic empowerment for Indigenous women and girls can give independents, gain equality which can then move to towards self-determination and a better live for themselves and their families. . For Indigenous women their roles and duties in their respective societies are limited in mobility than men, so they have no chance of earning a living other than in the subsistence economy.

Recommendations